

REMARKS

Claims 1, 3-8, 54-57, and 72-81 are pending. In the above-referenced Office Action, the Examiner objected to claim 78; rejected claims 3, 7, 8, 54, and 55 under 35 U.S.C. § 112, second paragraph; rejected claims 1, 3-8, 54-55, 72-79 and 81 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,044,146 to Gisby et al. (hereinafter “Gisby”); and rejected claims 56-57 and 80 under 35 U.S.C. § 103 as being unpatentable over Gisby in view of U.S. Patent No. 6,272,216 to Vaios (hereinafter “Vaios”).

The Examiner objected to claim 78. Applicant has amended claim 78 to correct the typographical error noted by the Examiner.

The Examiner rejected claims 3, 7, 8, 54, and 55 under § 112, second paragraph. Applicant has amended claims 3, 7, 8, and 54 to obviate these rejections. The Examiner did not mention claim 4, but it seems to contain language similar to that of claim 3, so claim 4 was also amended.

The Examiner rejected claim 8 under 35 U.S.C. § 112, second paragraph. Applicant has amended claim 8 to reflect the language used by the Examiner when explaining how she construed the claim (Page 3, paragraph 2). The rejection of claim 8 should be reconsidered and withdrawn.

Claim 1 is amended as discussed in the following paragraphs.

The Examiner rejected claims 1, 3-8, 54-55, 72-79 and 81 under § 102(e) as being anticipated by U.S. Patent No. 6,044,146 to Gisby; and rejected claims 56-57 and 80 under § 103 as being unpatentable over Gisby in view of Vaios. Applicant disagrees.

Independent claim 1 as amended recites that a requester R-A requests a meeting with a target T-A and a requester R-B requests a meeting with a target T-B. (One of the parties to the requested meeting is a common party.) Furthermore, claim 1 recites:

receiving by the decider system (D) an availability status of R-A, where a possible availability status includes “not available” and

receiving by the decider system (D) an availability status of the requester R-B, where a possible availability status includes “not available.”

In each of the receiving steps quoted above, claim 1 has been amended to recite that a possible availability status of each of the requesters includes “not available.”

Applicant believe that this is implicit in claim 1 prior to its amendment, but has amended claim 1 to make explicit that fact that availability status includes “not available.”

In contrast, Gisby discloses a plurality of callers queued on hold at a call center , waiting for a call agent to take their call. The portions of Gisby cited by the Examiner discuss how the callers can have different priorities and that the priority of a caller may affect his place in the queue. Caller priority is not the same as availability status. All the callers on hold in Gisby are available by definition, since they are on hold waiting for an agent to take their call. Because the requesters/callers are on hold, it is not possible that any of the callers have an availability status of “not available.” Availability status relates to whether a requester is available, not what his priority is in a queue. Claim 1 has been amended to clarify this point.

In fact, one of the problems that the current invention solves is avoiding making callers wait on hold. (See Applicant’s background).

Thus, in Gisby, all callers/requesters always have an availability status of “available” because all callers/requesters are on hold and the rejection under Gisby

should be reconsidered and withdrawn. Dependent claims 3-8, 54-57, and 72-81 are patentable for at least the same reasons as claim 1.

With regard to the rejections of claims 56-57 and 80 under § 103, the Examiner relies on Vaios for its alleged disclosure of displaying an availability status of the target on the requesting system, along with an indication that the requester has requested an meeting with the target, along with its alleged disclosure of a requester who has two real-time meetings in the queue. Applicant disagrees that it would have been obvious for a person of ordinary skill to combine Vaios and Gisby since caller/requesters in Gisby can change their queue position and therefore, it is not desirable for them to see that they have moved to a lower place in the queue. Moreover, Vaios fails to remedy the deficiencies of Gisby and claims 56-57 and 80 patentably distinguish over the cited art for at least the reasons discussed above for independent claim 1, from which they depend.

In addition, Applicant respectfully invites the Examiner to contact Applicant's representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

RESPECTFULLY SUBMITTED,
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